

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

BOBBY BANKS, et al.,

Plaintiffs,

v.

DIRECTV, LLC, et al.,

Defendants.

Case No. 1:14-cv-00398-LG-RHW

**UNOPPOSED MOTION TO VACATE DEADLINE FOR DEFENDANTS TO RESPOND TO ORIGINAL
COMPLAINT AND TO SET DEADLINE FOR
PLAINTIFFS TO FILE AN UNOPPOSED MOTION
FOR LEAVE TO FILE A FIRST AMENDED COMPLAINT**

Plaintiffs hereby respectfully move this Court to vacate the current deadline by which the Defendants must file their answers and/or motion(s) to dismiss to accommodate the filing of a First Amended Complaint by Plaintiffs and would further state as follows:

1. Plaintiffs intend to file a motion for leave to file a First Amended Complaint and will do so on or before February 27, 2015.

2. In the light of the waivers or service executed by DIRECT, LLC and Multiband Corp., these Defendants are under the obligation to respond to the original Complaint by February 10, 2015. However, in order to accommodate the filing of a First Amended Complaint, Plaintiffs request the Court to enter an order relieving Defendants of the obligation to file their answers and/or motions to dismiss the original Complaint by this deadline.

3. The parties have met and conferred and agree that in lieu of Defendants filing answers and/or motions to dismiss the original Complaint at this time, Plaintiffs will file an unopposed motion for leave to file a first amended complaint no later than Friday, February 27, 2015, and Defendants will only have to respond to the First Amended Complaint.

4. Defendants reserve all rights to file appropriate responsive pleadings, including, but not limited to, a motion to dismiss Plaintiffs' anticipated first amended complaint or otherwise operative complaint pursuant to Fed. R. Civ. P. 12(b).

5. Therefore, for the foregoing reasons, Plaintiffs respectfully request the Court to enter an order substantially in the form agreed upon by the parties which (a) vacates the deadline for Defendants to file their answers and/or motions to dismiss the original Complaint; (b) sets a deadline of February 27, 2015, for Plaintiffs to file an unopposed motion for leave to file a first amended complaint; and (3) sets a deadline of 21 days after the filing of the First Amended Complaint, or March 30, 2015, whichever occurs later, for Defendants to file their answers and/or motions to dismiss the First Amended Complaint.

Dated: February 10, 2015

Respectfully submitted,

By: /S/ Cynthia D. Burney
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing was served on all attorneys of record via the Court's electronic case filing system on February 10, 2015.

/S/ Cynthia D. Burney

Attorney for Plaintiff